

**CITY OF MILPITAS  
APPROVED**

**PLANNING COMMISSION MINUTES**

**September 14, 2005**

**I.  
PLEDGE OF  
ALLEGIANCE**

**Chair Williams** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.  
ROLL CALL**

Present: Azevedo, Galang, Garcia, Lalwani, Mohsin, and Williams  
Absent: Mandal  
Staff: Carrington, Duncan, Williams, and Andrade

**III  
PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

There were no speakers from the audience.

**IV.  
APPROVAL OF MINUTES  
August 24, 2005**

Chair Williams called for approval of the minutes of the Planning Commission meeting of August 24, 2005.

Commissioner Garcia stated that Page 4 minutes were correct on the Planning minutes but that the minutes going to the City Council are incorrect, it is showing 6 ft X 4 ½ ft, and should be 6 ft.

**Motion** to approve the minutes with the correction by Commissioner Garcia.

M/S: Lalwani/Azevedo

AYES: 6

NOES: 0

**V.  
ANNOUNCEMENTS**

Chair Williams introduced the new Planning and Neighborhood Services Director, Tom Williams. Tom thanked the Commission.

Staff announced that Item #1 under Public Hearing, the Use Permit number is incorrect, it should be UP2005-11, "S" Zone Approval Amendment number should be SA2005-58, and Environmental Impact Assessment number should be EA2005-5.

Commissioner Lalwani announced that the Demo Club banquet would be held on Monday, September 19<sup>th</sup> at Sarovar Indian Cuisine. Congressman Mike Honda would be in Milpitas to attend the event.

**VI.  
CONFLICT  
OF INTEREST**

Chair Williams asked if the Commission has any conflict of interest on tonight's agenda.

There were no Commissioners that identified a conflict of interest.

**VII.  
APPROVAL OF  
AGENDA**

Chair Williams called for approval of the agenda.

**Motion** to approve the agenda as submitted.

M/S: Galang/Lalwani

AYES: 6

NOES: 0

**VIII.  
CONSENT CALENDAR  
Item No. 2**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

Staff had no changes.

Chair Williams opened the public hearing on Consent Item No. 2.

There were no speakers from the audience.

**Motion** to close the public hearing on Consent Item No. 2.

M/S: Galang/Azevedo

AYES: 6

NOES: 0

**Motion** to approve the consent calendar on Consent Item No. 2.

**\*2 USE PERMIT NO. UP2005-17:** A request for a new restaurant, Pizza Depot, with 10 seats in an existing 1,200 square foot retail tenant space including the sale and on-site consumption of beer and wine at 1810 Milmont Drive (APN: 022-37-031), zoned Neighborhood Commercial (C1). Applicant: Charan Singh Vraich. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 2432) (*Recommendation: Approval with Conditions*)

## **X. PUBLIC HEARING**

### **1. USE PERMIT NO. UP2005-11, "S" ZONE APPROVAL AMENDMENT NO. SA2005-58, AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2005-5**

**Kim Duncan, Project Planner**, gave a brief presentation on Use Permit UP2005-11, "S" Zone Approval Amendment SA2005-58, and Environmental Impact Assessment EA2005-5. She stated the applicant is requesting use permit approval to operate an approximate 60,000 sq ft indoor commercial paintball facility located in the heavy industrial zoning district, add 22 new parking spaces to the project site, a new trash enclosure, and to adopt an associated mitigated negative declaration, project site located at 1001 Yosemite Drive. Staffs is recommending approval of Use Permit number UP2005-11, "S" Zone Approval Amendment number SA2005-58, and adopt Mitigated Negative Declaration EIA number EA2005-5.

Commissioner Garcia asked if on street parking is permitted on Vista Way. Staff stated yes.

Chair Williams stated for the record that Rosetta Foods is at Building 45 not Selectron. He invited the applicant to come forth.

**Joseph Palmera, 445 Greathouse Drive** – Mr. Palmera stated that they wanted to target Milpitas because they live in this community. He hopes to provide a venue for education as well as a good time for families.

Chair Williams asked Mr. Palmera if he was aware of the Milpitas Emergency Preparedness program. Mr. Palmera stated no.

Chair Williams opened the public hearing.

There were no speakers from the audience.

### **Close the public hearing**

**Motion** to close the public hearing.

M/S: Lalwani/Azevedo

AYES: 6

NOES: 0

Commission Garcia requested that the players be included in evacuation drills. He wanted this to be added to the special conditions.

Commissioner Lalwani asked about the age group that would be participating. Staff stated that the applicant is proposing the players be 10 years and older. Mr. Palmera stated that it is very regulated by the insurance programs and that you need to go through a series of qualifications in order to have a certain number of players. He also stated that through a series of training and being able to validate what they do they can have 10-year-old groups. Commissioner Lalwani asked if the parents drop the children off or do they stay. Mr. Palmera stated usually the mothers stay. It is usually a 3 – 4 hour session.

Commissioner Lalwani asked if there are any other facilities close by. Mr. Palmera stated that Santa Clara County Fairgrounds has an outdoor facility.

**Motion** to approve Use Permit UP2005-11 with modification to Condition of Approval No. 19 by Commissioner Garcia, 'S' Zone Approval Amendment No. SA2005-58, and adopt Mitigated Negative Declaration No. EA2005-5.

M/S: Lalwani/Azevedo

AYES: 6

NOES: 0

**X.  
ADJOURNMENT**

The meeting was adjourned at 7:33 p.m. to the next regular meeting of September 28, 2005.

Respectfully Submitted,

Tom Williams  
Planning and Neighborhood Services  
Director

Yvonne Andrade  
Recording Secretary